

IN THE HIGH COURT OF ORISSA AT CUTTACK

R.S.A. No.182 of 2002

Manas Ranjan Pattanaik

.... Appellant
Mr. S. K. Mishra, Advocate

-Versus-

Indumati Das (since dead) through her
LRs & others

.... Respondents

Mr. H.N. Mohapatra, Advocate
Mr. B. Bhuyan, Advocate

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
10.07.2023

Order No.

76. 1. Heard learned counsels for the respective parties.
2. This Court vide order dated 5th February, 2014 in Misc. Case Nos. 522 & 252 of 2012 filed for substitution under Order XXII Rule-4 of C.P.C. sent the matter for a finding by the learned trial court and a decision in terms of Order XXII Rule-5 C.P.C., later to which, an inquiry was held and report was received. In fact, learned Civil Judge, (S.D.), Puri submitted the report with findings on substitution rejecting the plea of the petitioner in Misc. Case No. 252 of 2012. On perusal of the report, this Court finds that the petitioner's plea for substitution in place of deceased Indumati Das, successor in the interest of Padma Charan Das was disbelieved, whereas, Nimai Charan Das and Prafulla Chandra Das were held to be the persons to be substituted, which was applied for vide Misc. Case No. 522 of 2012.
3. No objection on the said report has been received. Mr. Bhuyan, learned counsel appearing for the petitioner in Misc. Case No. 252 of 2012 is directed to file objection to the report of the

learned court below and his request, two weeks' time is allowed for a final order on substitution, as to who to succeed Indumati Das.

4. List on 27th July, 2023 for further orders.

(R.K. Pattanaik)
Judge

Balaram

